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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Xuejun Wang

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EXAMINER

AHN, SANGWOO

ART UNIT

PAPER NUMBER

2168

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/725,197	Applicant(s) WANG ET AL.	
	Examiner SANGWOO AHN	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-21,25-31 and 35-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-21,25-31,35-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/2008 has been entered.

Response to Amendment

Claims 1, 5 – 21, 25 – 31 and 35 – 59 are pending in this application.

Claims 1, 21, 31 and 49 – 50 have been amended.

Claims 2 – 4, 22 – 24 and 32 – 35 have been canceled.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive.

Applicant mainly argued that Kravets fails to disclose or suggest "sales information includes an accumulation of a plurality of purchase transactions of a plurality of users", and "the brands related to the first search term are determined based upon the sales information".

Examiner respectfully traverses the argument since Kravets clearly discloses “sales information includes an accumulation of a plurality of purchase transactions of a plurality of users” in column 5 lines 42 – 54 (the event system monitor monitors events to determine various parameters such as the total number of searches requested by all users of the site ... the amount of revenue generated by a search term ... or other suitable parameters) and “the brands related to the first search term are determined based upon the sales information” in column 7 line 56 - column 8 line 4 (the second set of search terms can be displayed as a list 300 in conjunction with a search engine input screen as shown in Figure 6, and then the list can be displayed in any order irrespective of the value scores, suggesting that it could be organized in many ways including price, brands, etc.).

For the foregoing reasons, the rejections of the pending claims are hereby sustained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2168

Claims 1 – 2, 5 – 8, 11 – 15, 19 – 22, 25 – 28, 31 – 32, 35 – 38, 41 – 45 and 49 – 59 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,704,727 issued to Alexander N. Kravets (hereinafter “Kravets”).

Regarding claim 1, Kravets discloses,

A computer-implemented method for searching, said method comprising:

Storing sales information related to a plurality of search terms, wherein the sales information includes an accumulation of a plurality of purchase transactions of a plurality of users (column 5 lines 42 – 54, et seq.);

receiving a first search term from a user (column 2 lines 39 – 40, et seq.);

dynamically generating a plurality of candidate search terms related to said first search item (column 2 lines 42 – 43, et seq.) in accordance with relevancy scores calculated based in part on the sales information and click information related to the first search term for providing to the user (column 2 lines 43 – 44, column 5 lines 20 - 54, et seq.),

wherein said plurality of candidate search terms comprise a plurality of potential alternative search terms, and are at least organized in accordance with brands, wherein the brands related to the first search term are determined based upon the sales information (Figures 6 – 8, column 7 line 56 - column 8 line 4, et seq.); and

wherein at least one user of said plurality of users does not have a user profile (column 7 line 56 - column 8 line 4, et seq.).

Claims 21 and 31 are rejected based on the same rationale above.

Regarding claim 5 – 6, Kravets discloses,

Art Unit: 2168

said plurality of search terms are organized in accordance with products, or related searches (Figures 6 – 8, et seq.).

Claims 25 – 26 and 35 – 36 are rejected based on the same rationale above.

Regarding claim 7, Kravets discloses,

said plurality of candidate search terms are presented as links to other destinations (column 8 line 4, et seq.).

Claims 27 and 37 are rejected based on the same rationale above.

Regarding claim 8, Kravets discloses,

said candidate search terms are generated off-line (column 8 line 33, et seq.).

Claims 28 and 38 are rejected based on the same rationale above.

Regarding claims 11 – 12, Kravets discloses,

said candidate search terms are generated in accordance with a span that define a number of word unit, and said span is greater than one word unit (column 6 lines 1 – 2, et seq.).

Claims 41 – 42 are rejected based on the same rationale above.

Regarding claims 13 – 14, Kravets discloses,

said candidate search terms are refined in accordance with an inflection distance and said inflection distance is a measure of closeness between two search terms (column 6 lines 31 – 33, et seq.).

Claims 43 – 44 are rejected based on the same rationale above.

Regarding claim 15, Kravets discloses,

Art Unit: 2168

comparing said first search term with a dictionary prior to providing said plurality of candidate search terms (column 6 lines 18 – 19, et seq.).

Claim 45 is rejected based on the same rationale above.

Regarding claims 19 – 20, Kravets discloses, normalizing said plurality of candidate search terms in accordance with occurrence time or display position of said plurality of candidate search terms (column 5 lines (column 4 line 62 – column 5 line 26, column 7 line 66 – column 8 line 4, et seq.).

Claims 49 – 50 are rejected based on the same rationale above.

Regarding claims 51 – 53, Kravets discloses, click information includes purchase data based upon purchase behavior of a plurality of users (column 5 lines 20 – 26, et seq.).

Claims 54 – 59 are rejected based on the same rationale discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 – 10, 29 – 30 and 39 – 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravets in view of U.S. Publication Number 2003/0078915 issued to Surajit Chaudhuri et al. (hereinafter “Chaudhuri”).

Regarding claims 9 – 10, Kravets discloses the method of claim 1.

Kravets does not explicitly disclose search terms organized in a hash table.

However, Chaudhuri discloses keywords organized in a hash table (paragraph 37, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Kravets' method of suggesting search terms to incorporate Chaudhuri's method of using a hash table for the search terms, thus saving the storage space and maximizing the speed of the look-up process (paragraph 34, et seq.).

Claims 29 – 30 and 39 – 40 are rejected based on the same rationale above.

Claims 16 – 18 and 46 – 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravets in view of U.S. Patent Number 6,701,314 issued to Joan Evelyn Conover et al. (hereinafter "Conover").

Regarding claims 16 – 18, Kravets discloses the method of claim 15.

Kravets does not explicitly disclose different types of dictionary (such as brand, artist, etc.), and wherein if said search term is deemed to be a particular type (such as brand), then at least one of said plurality of candidate search terms is presented as product of said type.

However, Conover discloses different types of classification systems/hierarchies (column 1 line 67, column 5 lines 10 – 17: equivalent to different types of dictionaries in the present application), and wherein if said search term is deemed to be a particular type, then at least one of said plurality of candidate search terms is presented as a

Art Unit: 2168

product of said type (column 1 line 67, column 5 lines 20 – 45: keywords are mapped against a specific weighted domain ontology, which is a classification system/hierarchy. Therefore, if a keyword is deemed to belong in a particular classification system/hierarchy, that keyword is presented as a product of that classification system/hierarchy). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to modify Kravets' method of suggesting search terms to incorporate Conover's classifying keywords against classification systems/hierarchies, thus increasing operational speed and accuracy of the search term classifying process.

Claims 46 – 48 are rejected based on the same rationale above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANGWOO AHN whose telephone number is (571)272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168

2/5/2009
/Sangwoo Ahn/
Examiner, Art Unit 2168